IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

PRESENT:
THE HON'BLE SMT JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO :17836 of 2007

DATED:23.8.2007.

Between:
The Superintendent of Police, Medak & others.
..... PETITIONERs

AND
G.Kamlakar

.....RESPONDENT

THE HON'BLE SMT JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO:17836 OF 2007

ORDER: (Per the Honourable Smt.Justice T.Meenakumari)

The petitioners have filed the present writ petition seeking to call for the records pertaining to the order dated 13.9.2005 in O.A.No:5250 of 2000 of the Tribunal and set aside the same.

The respondent is the applicant. Originally, on the O.A. filed by the applicant seeking to set aside D.O.No:1703/2000, dated 17.7.2000 and direct the respondents to continue the applicant in the Police Training College, Amberpet to complete his training for 9 months, the tribunal having observed that though the respondents were directed to produce the records as well as to file a counter way back on 4.9.2000, they did not file any counter affidavit and therefore, the averments made by the applicant in the O.A. stand unrebutted as to the genuineness of the reasons, set aside the order impugned, which was issued on the ground that the applicant was unauthorisedly absent from the training from police training college from 8.7.2000 at 11.00 hours with his kit articles. Having aggrieved by the same, the present writ petition is preferred by the respondents.

Heard the learned G.P. for Services-I and perused the entire material available on record as well as the order impugned.

A perusal of the record clearly goes to show that the O.A is of the year 2000 and though the respondents are directed to file the counter in the year 2000 itself before the tribunal, but they have not filed any counter rebutting the averments made by the applicants and thereby, the O.A. was allowed on 13.9.2005 whereas the present writ petition is filed by the respondents on 21.8.2007 i.e., nearly after one year, eleven months of passing the order impugned. Neither any explanation is forthcoming nor any delay condone petition is filed for such delay.

Having failed to file any counter before the tribunal and having challenged the order of the tribunal nearly after one year eleven months, the respondents cannot be said to have come to the Court with clean hands. Hence, We see no merits in this writ petition and the same is liable to be dismissed.

Accordingly, this writ petition is dismissed. No costs.

(JUSTICE T.MEENAKUMARI)

23rd August, 2007

(JUSTICE G.CHANDRAIAH)

gurc

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO:17836 of 2007

(Order delivered by the Honourable Smt.Justice T.Meena Kumari)

23rd August , 2007.